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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,116	08/01/2003	Ying Ma	MA1	3487
7590 08/18/2006				
BROWDY AND NEIMARK, P.L.L.C. 624 Ninth Street, N.W. Washington, DC 20001				
EXAMINER GUIDOTTI, LAURA COLE				
ART UNIT PAPER NUMBER				
1744				

DATE MAILED: 08/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/632,116

Applicant(s)

MA, YING

Examiner

Laura C. Guidotti

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date 20060816.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. In response to the arguments presented to the Examiner during the telephonic interview with Norman Latker on 15 August 2006, the Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sussman, US 5,067,195 in view of Braun, US 1,337,819 and Wantling, US 4,004,447.

Sussman discloses the claimed invention including a method including the steps of *manufacturing a raw brush* having at least two straight cores (16 and 18; or 170, 180 as initially they are straight, Column 8 Lines 23-26), a portion of each core having bristles (28 in Figure 9; unlabeled, shown in Figure 14), said straight cores extending from a common handle section (35 or at 171, 181), wherein ends of the two straight cores (ends are at p) are connected to form the handle section (at 35) which has no bristles (as shown in Figure 9) and then *inserting* a portion of the straight cores having bristles into a bending tool ("bending machine or the like", Column 6 Lines 5-9, Column 8 Lines 26-36), and then *bending* the portion of the straight cores having bristles (Column 6 Lines 5-9, Column 8 Lines 26-36). Regarding claim 16, the bristles of the resulting cores after being bent are overlapping (to a small degree, as shown best in Figures 6-9 where some bristles of the finished product appear to overlap). Sussman

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does not disclose that the raw brush has two straight cores that are intertwined to form the handle section or that the bending tool has a convex bending plunger and a concave counter-plunger.

Braun teaches a raw brush having at least two straight cores (each are 11, Figure 5), a portion of each core having bristles (14), said straight core extending from a common handle section, wherein ends of the two straight cores (ends are at 17) are intertwined to form the handle section (19) which has no bristles (as shown in Figures 5-7) so that the handle section (19) is unitary and stiff (Page 2 Lines 8-14).

Wantling teaches a bending tool that has a convex bending plunger (18, 30) and a concave counter-plunger (16, 28) being substantially complementary thereto (as shown in Figures 1 and 3) that is capable of bending wire (10).

It would have been obvious for one of ordinary skill in the art to modify the raw wire brush of Sussman to have the ends of two straight cores to be intertwined to form a handle section that has no bristles, as Braun teaches, so that the ends are stiff and provide an effective handle section, and further it would have been obvious to modify the bending tool used in the method of Sussman to specifically be one with a convex bending plunger and a concave counter-plunger, such as the one Wantling teaches, in order to capably and effectively bend a wire element.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LCG



GLADYS JP CORCORAN
SUPERVISORY PATENT EXAMINER